

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPRICE CAPRICE, Pro Se

(Formerly Known As)

NORMAN B. CALVERT

14CV7915

(In the space above enter the full name(s) of the plaintiff(s). Pro Se

COMPLAINT

-against-

MORRIS RUBIN;

M. RUBIN & CO, LLC;

SANTANDER BANK;

JERRY GRUNDHOFER, Chairman;

ROMAN BLANCO, CEO

Jury Trial: ☒ Yes ☐ No
(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

SEP 30 2014

PRO SE OFFICE

I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name CAPRICE CAPRICE (FKA) NORMAN B. CALVERT
 Street Address 3166 Boulder Creek Road
 County, City Snellville; Gwinnett County
 State & Zip Code Georgia 30039-4788
 Telephone Number (347) 530-4025

- B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 ² 2 Name MORRIS RUBIN and M. RUBIN & CO, LLC
 Street Address 4 Weyant Drive

County, City Cedarhurst; Nassau CountyState & Zip Code New York 11516Telephone Number (516) 569-5691Defendant No. 3Name SANTANDER BANKStreet Address 75-101 Federal StreetCounty, City BostonState & Zip Code Massachusetts 02110Telephone Number -unk-Defendant No. 4Name JERRY GRUNDHOFER, Chairman [Santander Bank]Street Address 75-101 Federal StreetCounty, City BostonState & Zip Code Massachusetts 02110Telephone Number -unk-Defendant No. 5Name ROMAN BLANCO, CEO [Santander Bank]Street Address 75-101 Federal StreetCounty, City BostonState & Zip Code Massachusetts 02110Telephone Number -unk-**II. Basis for Jurisdiction:**

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

A. What is the basis for federal court jurisdiction? *(check all that apply)*☒ Federal Questions☒ Diversity of CitizenshipB. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? U.S. Constitution, Amendments 5 & 9; Title 18 USC sections 1962 and 1964 [Civil RICO Act]

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship GeorgiaDefendant(s) state(s) of citizenship MORRIS RUBIN [and] M.RUBIN & CO, LLC - New York;
SANTANDER BANK, JERRY GRUNDHOFER and ROMAN BLANCO - Massachusetts**III. Statement of Claim:**

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events.

You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? 3660 Waldo Avenue; Bronx, NY 10463

B. What date and approximate time did the events giving rise to your claim(s) occur? June 22nd, 2010

C. Facts: On June 22nd, 2010 I paid a \$3,200.00 Security Deposit, and another \$400.00 for one weeks rent to Rapid Realty in the Bronx, who was acting on behalf of the Defendant MORRIS RUBIN, to rent apartment 4B in 3660 Waldo Avenue; Bronx, NY 10463. Thereafter I paid \$1,600.00 per month, for six months, to the Defendant MORRIS RUBIN; in violation of New York State Limited Liability Company Law, Sections 203 (a) and (d).

What happened to you?

(3660 Waldo Ave is an 87 unit Multiple Dwelling Building)
The Defendant SANTANDER BANK, which at that time was SOVEREIGN BANK, acted in concert with the Defendants MORRIS RUBIN and M. RUBIN & CO, LLC to violate Title 18 USC Section 1962, in that: "... any person who has received any income derived, directly or indirectly, from a pattern of racketeering activity or through collection of an unlawful debt in which such person has participated as a principal ... to use or invest, directly or indirectly, any part of such income, or the proceeds of such income, in acquisition of any interest in, or the establishment or operation of, any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce."

Who did what?

Was anyone else involved?

THERE ARE NO OTHER DEFENDANTS TO THESE ALLEGATIONS.

Who else saw what happened?

This "pattern of racketeering activity" began on May 13th, 1996, and continues to this day. While I was the one who discovered this UNLAWFUL activity on July 7th, 2011, it has affected, is affecting, and will continue to affect each and every Tenant of 3660 Waldo Avenue, Bronx, NY since May 13th, 1996.

(3660 Waldo Ave is an 87 unit Multiple Dwelling Building)

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. The aforementioned "pattern of racketeering activity" is UNLAWFUL because the Defendant MORRIS RUBIN and three of his cohorts transferred ownership of 3660 Waldo Avenue to the Defendant M. RUBIN & CO, LLC on May 13th, 1996, but the Defendant M. RUBIN & CO, LLC did not file Articles of Organization with the Secretary of State in New York until fully EIGHT MONTH LATER, on January 22nd, 1997; contrary to NYS LLC Law, Sec. 203 (a) & (d). The Defendant M. RUBIN & CO, LLC filed a petition in the New York City Housing Court against me for non payment of rent, in the amount of \$33,000.00; which resulted in me being UNLAWFULLY EVICTED on October 16, 2012. After living in my car, with my Pit Bull, I was committed to the Psychiatric Ward of the Veterans Hospital, on or about November 8th, 2012, until November 27th, 2012; whereupon I moved to my present address in GA. Because I am rated by the Veterans Administration as 100% Service Connected Psychiatric Disabled, I have suffered, I am suffering, and I will continue to suffer severe Mental Anguish because of this RICO Violation.

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation. I seek the reimbursement of the money that the Defendants have UNLAWFULLY taken from me, in the amount of \$13,200.00, as trebled by 18 USC sec. 1964(c) = \$39,600.00.

Also, if Punative Damages are available in Civil RICO cases, I seek \$25,000,000.00 in Punative Damages.

I further seek the full extent of the Civil RICO relief provided for in Title 18 USC Section 1964 (a); and the full extent of the Criminal RICO sanctions provided for in Title 18 USC Sections 1964((b) and (d).

I also seek that the United States seize the property of 3660 Waldo Avenue, Bronx, NY 10463; and to have myself appointed as the Building Manager on behalf of the United States, until such time as this quagmire can be completely corrected, with an appropriate remuneration, including being reinstated to the Apartment that I was UNLAWFULLY EVICTED from, with the full restoration of the furniture, etc. that I had lost in the eviction - and any such further relief as this Court might deem to be Just, Proper, and Equitable

PLEASE TAKE NOTICE that I filed a COMPLAINT about this in the New York State Supreme Court, Bronx County, Index No. 309725/2011; which, REMARKABLY, was Dismissed, and is now pending in the New York State Appellate Division-First Department. That is for the UNLAWFUL EVICTION, not RICO Violations.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 25th day of September, 2014.

Signature of Plaintiff



[Signature changed 8/26/14]

Mailing Address

CAPRICE CAPRICE

3166 Boulder Creek Road

Snellville, GA 30039-4788

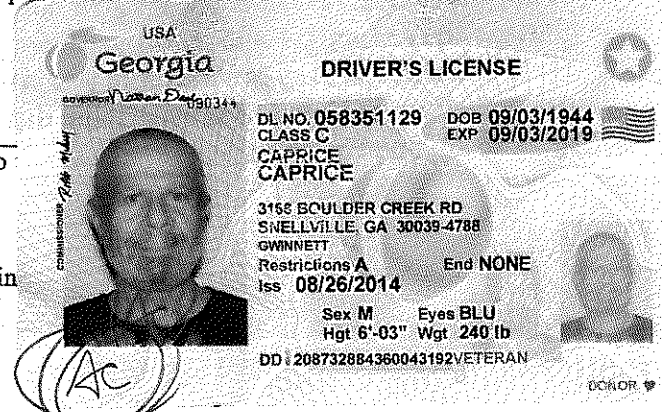
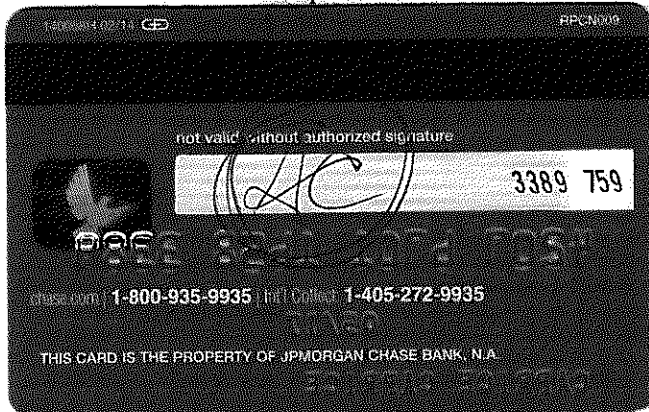
Telephone Number

(347) 530-4025

E-mail Address

Fax Number (if you have one) caprice.caprice@ymail.com

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.



UNITED STATES DISTRICT COURT

CHAMBERS OF

JUDGE CHARLES S. HAIGHT, JR.

UNITED STATES COURTHOUSE

800 PEARL STREET

NEW YORK, NY 10007-1312

August 16, 2006

Mr. Norman B. Calvert
SIN # 97 A 0267
Clinton Correctional Facility
P.O. Box 2001
Dannemora, N.Y. 12929

Dear Mr. Calvert:

I have received your letter dated August 1, 2006. I congratulate you upon the successful outcome on your claim before the VA, as evidenced by that agency's Rating Decision dated February 27, 2003. You persevered courageously in a just cause and have prevailed at last.

You ask me to intervene on your behalf with Tracey Towers, in my capacity, as your letter phrases it, of "a representative of the United States." I wish that I could assist you in this regard, but I cannot do so. Here are the reasons.

I am, as you know, a member of the judicial branch of the federal government. It is well settled that judges, acting in their official capacity, can be concerned only with cases actually pending before them. Judges are not allowed to use their official status as a means for assisting private citizens in private matters that do not involve a pending case in court. Accordingly I am not able to make the inquiries about and requests to Tracey Towers that you describe on page 2 of your letter. I would hope that Frank E. Allen, Esq., who apparently represented you successfully before the VA, would be able to help you in this regard as well.

Notwithstanding this limitation on my ability to act in a judicial capacity, I do not hesitate as a private citizen to salute you for your honorable service in the Army of the United States, and the courage and endurance with which you have pressed a just claim against the government which you served. Based upon my contacts with you in my Court, I believe that you are entitled a favorable and sympathetic consideration in everything that you do or hope to do. You may show a copy of this letter to anyone you wish.

Very truly yours,



Charles S. Haight, Jr.
Senior United States District Judge

Consolidation
This Indenture, made the 13th day of MAY 1996

Between

MORRIS RUBIN, MARK RUBIN, SHARI RUBIN STEINBERG, and THOMAS MILLS STEINBERG, all c/o Morris Rubin, 4 Weyant Drive, Cedarhurst, New York, 11516

party of the first part, and

M. RUBIN & CO., LLC with offices at 4 Weyant Drive, Cedarhurst, New York, 11516

SO IN
ORIGINAL

party of the second part,

Witnesseth, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

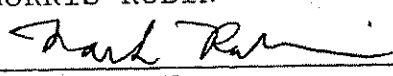
All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

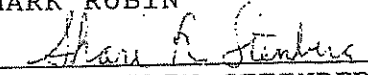
SEE SCHEDULE A ATTACHED

to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires. In Witness Whereof, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


MORRIS RUBIN


MARK RUBIN


SHARI RUBIN STEINBERG


THOMAS MILLS STEINBERG

SAID PREMISES known as 3660 Waldo Avenue, Bronx, NY

Together with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises; To Have And To Hold the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever. And the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid. And the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

NEW YORK STATE
OFFICE OF THE ATTORNEY GENERAL
PUBLIC INTEGRITY BUREAU
120 Broadway, 22nd Floor
New York, NY 10271

COMPLAINT FORM

1. PLEASE TYPE OR PRINT CLEARLY IN DARK INK.
2. COMPLETE THE ENTIRE FORM AND SIGN.
3. RETURN/SEND FORM TO THE PUBLIC INTEGRITY BUREAU.

COMPLAINANT

Your Name: Caprice Caprice

Home Tel: (770) 982-0503

Street Address: 3166 Boulder Creek Road

Business Tel: (347) 530-4025

City/Town: Snellville, GA

Zip: 30039 County: Gwinnett

COMPLAINT

Public Agency/Individual you are complaining about: M. RUBIN & CO, LLC

Street Address (if known): 4 Weyant Drive

City/Town: Cedarhurst

Zip: 11516 County: Nassau

Has this matter been submitted to another agency? ☒ Yes ☐ No

If so, which agency: Several City, State and Federal agencies - (all to no avail)

Is there any legal action pending? ☒ Yes ☐ No

If so, where: NYS Supreme Court(Bronx) Index No. 309725/2011 - Hon. Alison Y. Tuitt

PLEASE BRIEFLY DESCRIBE YOUR COMPLAINT BELOW

(use back of form or attach additional documentation if necessary)

I am a 68 year old Decorated and Disabled Viet Nam Veteran, with TWO Honorable Discharges from the U.S. Army. I am rated by the VA as 100% Disabled - Totally and Permanently --- FOR LIFE.

On October 16th, 2012 I was evicted from my home, pursuant to a NYC Housing Court ORDER, Index No. B33280/11 (Marshal's Docket No. 25125 Residential).

I believe that said eviction was UNLAWFUL, since the Plaintiff in that proceeding, M. RUBIN & CO, LLC did not file the Articles of Organization with the NYS Dept. of State until January 22nd, 1997, and the premises it was claiming a Legal Standing to evict me from, was transferred to it on May 13th, 1996 --- FULLY EIGHT MONTHS BEFORE THE FILING OF THE ARTICLES OF ORGANIZATION; in violation of Section 203(a) and (d) of the NYS Limited Liability Law. (see attached documents)

My current residency in the state of Georgia is a DIRECT result of my being UNLAWFULLY evicted by the entity, M. RUBIN & CO, LLC, and, therefore, should not be a hindrance in NYS pursuing this Complaint. (see attached documents)

PLEASE investigate this Complaint as early as is possible, so that this 68 year old WOUNDED WARRIOR can return to my home in the Boogie Down Bronx.

THANK YOU VERY MUCH, in advance, for all of your help.

DATED: December 17, 2012

Caprice

Case 1:14-cv-07915-UA Document 1 Filed 09/30/14 Page 8 of 12
OFFICE OF THE ATTORNEY GENERAL ERIC T. SCHNEIDERMAN
STATE OF NEW YORK DEPARTMENT OF LAW



Consumer Frauds and Protection Bureau
120 Broadway, 3rd Floor
New York, NY 10271
Phone: (212) 416-8300 Fax: (212) 416-8787

Consumer Hotline
TDD (800) 788-9898
<http://www.ag.ny.gov>
(800) 771-7755

RENT SECURITY COMPLAINT FORM

14CV7915

The Attorney General investigates complaints that a landlord has failed to place security deposits in trust accounts or to pay interest on rent security deposits. We also try to assist tenants who complain that a landlord failed to return the rent security when the tenant moved out. If, however, the landlord refuses to return your security deposit because your landlord says that you failed to pay rent or damaged the apartment, you must generally go to Small Claims Court to resolve the dispute. Before forwarding this complaint to our office, you must attempt to resolve the matter with your landlord.

Please complete this form only if your attempt to resolve your complaint with the landlord has been unsuccessful. Each tenant should submit a separate complaint form. You may duplicate this form or obtain additional copies from our office.

Be sure to attach a copy (NOT THE ORIGINAL) of your lease, receipt or other evidence that you paid a security deposit and any other pertinent letters or documents.

PLEASE PRINT

1. YOUR NAME: Caprice Caprice

ADDRESS (CURRENT) 3166 Boulder Creek Road

Street No.

Apt. No.

Snellville

City

GA

State

30039-4788

Zip Code

TELEPHONE: HOME (347) 530-4025

BUSINESS _____

ADDRESS OF APARTMENT INVOLVED, IF DIFFERENT FROM CURRENT ADDRESS: Apt. No. 4B

3660 Waldo Avenue

Street No.

Bronx

City

NY

State

10463-2225

Zip Code

2. FORMER OR CURRENT LANDLORD

INVOLVED IN THIS COMPLAINT: M. RUBIN & CO, LLC and MR. MORRIS RUBIN

ADDRESS 4 Weyant Drive

Street No.

Cedarhurst

City

NY

State

11516

Zip Code

TEL: (516) 569-5691

3. MANAGING AGENT'S NAME: MR. MORRIS RUBIN

ADDRESS: 4 Weyant Drive

Street No.

Cedarhurst

City

NY

State

11516

Zip Code

TEL: (516) 569-5691

4. APPROXIMATE NUMBER OF APARTMENTS IN BUILDING: 87

5. YOUR COMPLAINT CONCERNS:

☐
☐
☐

Landlord failed to return rent security deposit.

Landlord failed to place security deposits in trust account.

Landlord failed to pay interest on security deposit.

**OTHER - Landlord had
No Legal Standing To Require
A Security Deposit**

6. (a) AMOUNT OF SECURITY DEPOSIT AND DATE PAID: \$ 3,200.00

Date: 6/22/2010

(b) MOST RECENT MONTHLY RENT: \$ 1,600.00

7. (a) DATE YOU MOVED INTO APARTMENT: June 22, 2010
 (b) DATE YOU MOVED OUT OF APARTMENT (if applicable): October 16, 2012
 (c) TERM OF FIRST LEASE: June 22, 2010 to June 21, 2011

8. YOUR APARTMENT IS: ☐ Rent Controlled ☐ Rent Stabilized

9. Date you complained to the landlord: NYS Supreme Court, Index # 309725/2011

Person contacted: Hon. Alison Y. Tuitt By phone: ☐ Letter: ☐ In person: ☒ Other: _____

10. Have there been any court proceedings regarding your rent security deposit? ☒ Yes ☐ No

Has there been any other litigation concerning your apartment? If so, briefly summarize the issues. My UNLAWFUL EVICTION is presently on Appeal, in the NYS Appellate Division-First Department Court; Index No. 309725/2011.

See the attached DEED, dated May 13, 1996, and the Initial Filing, dated January 22, 1997; vis-a-vis

NYS Limited Liability Company Law, Sections 203(a) and (d)

11. If the building has changed landlords during your residence, please list them in order, starting with first. Use your recollection or your own records (such as rent checks or receipts) to prepare the list. Feel free to add a page if more space is needed.

LANDLORD'S NAME, ADDRESS
AND TELEPHONE NUMBER

PERIOD OF OWNERSHIP
FROM -- TO
Sec. 203(a) and (d)

MANAGING AGENT'S NAME,
ADDRESS & TELEPHONE NUMBER

NYS LLC Law

Sec. 203(a) and (d)

12. Indicate the amount of interest, if any, you have received on your security deposit and the period involved.

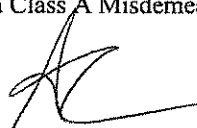
SPACE FOR ADDITIONAL INFORMATION, ANSWERS OR COMMENTS: 3660 Waldo Avenue; Bronx,
has not been LEGALLY owned since May 13, 1996. See attached DEED, dated May 13, 1996; and the
attached NYS Secretary of State's INITIAL FILING, dated January 22, 1997; vis-a-vis NYS Limited
Liability Company Law, Sections 203(a) and (d); and is UNLAWFULLY EVICTING Tenants for 18 YEARS!

IMPORTANT: In order to resolve your complaint, we may send a copy of this form to the parties you have named.

In filing this complaint, I understand that the Attorney General is not my private attorney, but represents the public in enforcing laws designed to protect the public from misleading or unlawful business practices. I also understand that if I have any questions concerning my legal rights or responsibilities, I should contact a private attorney. I have no objection to the contents of this complaint being forwarded to the landlord the complaint is directed against. The above complaint is true and accurate to the best of my knowledge.

I also understand that any false statements made in this complaint are punishable as a Class A Misdemeanor under Section 175.30 and/or Section 210.45 of the Penal Law.

DATE: July 13, 2014

TENANT'S SIGNATURE: 

Civil Court of the City Of New York
County of BRONX

M. RUBIN & CO. LLC

against

NORMAN B. CALVERT AKA CAPRICE
Apt# 4B
3660 WALDO AVENUE
BRONX NY 10463

Name of Tenant and/or undertenant being fictitious and unknown, person intended, occupying

Marshall's Docket No. 25125 RESIDENTIAL

Index No. L/T B33280/11

Petitioner
Landlord

Respondent
Tenant

Respondent
Undertenant



CITY MARSHAL
Ileana Rivera #4
6726 11th Avenue
Brooklyn, NY 11219
Tel: (718) 238-7770

IMPORTANT - PLEASE BE ADVISED YOUR EVICTION MAY TAKE PLACE ON
IMPORTANTE - USTED PUEDE SER DESHAUCIADO, EL

10/01/12

OR THEREAFTER
O DESPUES

NOTICE OF EVICTION¹

Alternative Service/Mailing

To the above named tenants and undertenants:

Please take notice that the court has issued a warrant for your eviction. If you fail to vacate the described premises, **YOU MAY BE EVICTED, WITHOUT FURTHER NOTICE, ON THE SIXTH BUSINESS DAY AFTER THE DATE OF THIS NOTICE** or on any business day thereafter. "Business days" are Monday through Friday, except legal holidays.

The ONLY way you can stop this eviction is if a Court issues an order to show cause that stays your eviction. You may apply for such an order at the Civil Court, Landlord-Tenant part, in your borough.

If a court stay of your eviction is in effect, you will be evicted only if the stay ends or is vacated by the Court. If the Court has already ordered that you may be evicted, if you fail to make a payment or comply with the Court's order by a certain date, your failure to pay or comply with the Court's order by that date may result in your eviction without further notice.

If you are dependent upon a person in the military service of the United States, advise the clerk of the Court immediately in order to protect your rights.

If you need legal assistance, the Legal Aid Society may be able to assist you (check telephone listing in your borough). A senior citizen who needs legal assistance may contact Tel: 311.

If you receive public assistance, notify your caseworker immediately. The Human Resources Administration may be able to help you with back payments whether or not you receive public assistance. Call (877)472-8411 or 311 for information.

DATE OF NOTICE²

FECHADA

Friday, September 21, 2012

NOTIFICACION DE DESAHUCIO

Notificacion Alterna/Postal

A los susodichos inquilinos y sub-inquilinos:

Tenga a bien notar que la Corte ha emitido una orden de desahucio en contra de usted. Si no desaloja al local descrito, **USTED PUEDE SER DESHAUCIADO, SIN NOTIFICATION ADICIONAL, EL SEXTO DIA HABIL A PARTIR DE LA FECHA DE ESTA NOTIFICATION** o en cualquier dia habil de ahí en adelante. Los "dias habiles" son Lunes a Viernes, excepto los dias de fiesta legales.

Usted puede detener este desahucio SOLAMENTE si una Corte emite una orden judicial instruyendole a usted a mostrar motivos justificantes para suspender su desalojo. Usted puede solicitar esa orden (Order to Show Cause) en la Corte Civil, Sección del Propietario - Inquilino (Civil Court, Landlord-Tenant part) en su condado.

Si una suspension de su desahucio por orden de la Corte esta en efecto, usted sera desalojado solo si la suspension caduca o la Corte la anula. Si la Corte ha ordenado ya que usted puede ser desalojado si no cumple con hacer un pago o con la orden de la Corte a partir de una fecha de vencimiento, su incumplimiento con el pago o con la orden de la Corte al llegar esa fecha puede resultar en su desahucio sin notification adicional.

Si usted depende de una persona que pertenece al Servicio Militar de los Estados Unidos, notifiquesele inmediatamente al Secretario del la Corte (Court Clerk) para así proteger sus derechos legales.

Si usted necesita ayuda legal, la Legal Aid Society tal vez puede ayudarlo (consulte la guía telefonica de su condado). Una persona de edad avanzada que necesita ayuda legal puede comunicarse con Tel 311.

Si usted recibe asistencia publica, notifiquelo a su trabajador social (caseworker) inmediatamente. La Administracion de Recursos Humanos tal vez puede ayudarlo con los pagos atrasados, reciba usted o no asistencia publica. Llame al (877)472-8411 o 311 para informacion.

¹ Formerly known as "72-hour notice". Additional time has been allowed for mailing. Anteriormente conocido como "Aviso de Desahucio de 72 horas. Se ha concedido tiempo adicional para enviar por correo. The date of this notice shall be on or after the date the notice is mailed to the respondent. La fecha de este notificación se fijará el día en que se le envía al apelado o después de ese día.

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX**

-----X
CAPRICE CAPRICE F/K/A NORMAN P. CALVERT,

Plaintiff,

-against-

MORRIS RUBIN and M. RUBIN & CO., LLC,

Defendants.
-----X

AFFIRMATION OF SERVICE

INDEX NO.: 309725/11

LAWRENCE SCHIRO, ESQ., an attorney duly admitted to practice before the courts of the State of New York, affirms the following to be true under penalty of perjury.

1. I am over 18 years of age, I maintain an office at 733 Yonkers Avenue, Yonkers, New York, and I am not a party to this proceeding.

2. That on the _____ day of _____, 2012 I served the within Order to Show Cause upon:

Caprice Caprice f/k/a Norman P. Calvert
3660 Waldo Avenue - Apt. 4B
Bronx, New York 10463

Betty Hayes, Guardian ad Litem
671 Westchester Avenue
Bronx, New York 10455

the addresses designated by said attorney for that purpose, by depositing a true copy of same enclosed in a post-paid properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

**Dated: Yonkers, New York
, 2012**

LAWRENCE SCHIRO, ESQ.


3. Explain what steps you have taken to find an attorney and with what results. (Please identify the lawyers, law firms or legal clinics you have contacted and their responses to your requests. If you have limited access to the telephone, mail, or other communication methods, or if you otherwise have had difficulty contacting attorneys, please explain.)

On October 16th, 2012 I was UNLAWFULLY EVICTED from my Bronx home
by the Defendant M. RUBIN & CO, LLC, and I clearly do not have access to
any means or methods to find anyone to help me with this, since I was
compelled to move to Georgia; so I need a Pro Bono Attorney.

4. If you need an attorney who speaks a language other than English, state what language(s) you speak: _____.
5. I understand that if an attorney volunteers to represent me and that attorney learns that I can afford to pay for an attorney, the attorney may give this information to the Court.
6. I understand that even if the Court grants this application, I will receive *pro bono* counsel only if an attorney volunteers to take my case and that there is no guarantee that an attorney will volunteer to represent me.
7. I understand that if my answers on this application or in my IFP application are false, my case may be dismissed.

September 25th, 2014

Date


Signature

CAPRICE, CAPRICE

Name (Last, First, MI)

Prison Identification # (if incarcerated)

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